

JUDICIAL COUNCIL OF THE THIRD CIRCUIT
APPLICATION FOR THE POSITION OF
UNITED STATES BANKRUPTCY JUDGE
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

<p>Please note: Applications and attachments are to be filed electronically in <u>pdf format</u>. Paper copies <u>will not</u> be accepted. All applications are due by noon, Thursday, April 7, 2005. Interviews will be conducted on or about May 3, 2005. If you have any questions, contact the Third Circuit Executive's Office at <i>bankruptcy_application@ca3.uscourts.gov</i> .</p>

PERSONAL BACKGROUND

1. Your full name:

All other names by which you have been known.

2. Addresses:

Residential (street, city/state/zip, telephone number).

Office (street, city/state/zip, telephone number).

3. Birth Date:

Length of your current residence in the state of _____.

If a naturalized citizen, date and place of your naturalization.

4. Family Status:

Are you related by blood or marriage to any United States District or Court of Appeals judge? If so, state judge's name and the relationship.

EDUCATION

5. State the name of the high school you attended and your graduation date.

6. List all of the colleges and universities you attended, including non-legal graduate work.

<u>School</u>	<u>Dates</u>	<u>Major</u>	<u>Degree</u>
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List all honors, awards, etc.

7. List all of the law schools you attended:

School

Dates

Degree

State in detail your honors, awards, law review, other activities or achievements, and class standing.

8. List all seminars, symposia, lectures, or legal meetings in the nature of continuing legal education which you have attended in the past five years, stating as to each: date, sponsoring organization, subject, and the extent of your participation.

HEALTH

9. What is the present state of your health?
10. Do you have any disability, illness or condition that would prevent you from performing the essential functions of the position of bankruptcy judge? If so, please provide details.

PROFESSIONAL AND OCCUPATIONAL BACKGROUND

11. List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the name of the body, the date of your admission, and indicating whether you are currently on active status there.
12. List chronologically your relevant work experience, including all positions held since graduation from law school. State the names, dates, and addresses of all law and business firms with which you have been associated, and of all governmental agencies or private business organizations by which you have been employed, periods during which you have been a solo practitioner, etc. Include judicial clerkships.
13. If you have practiced law, describe the general nature of your practice, including any legal specialties you possess, and the character of your typical clients. In addition, if your practice changed significantly over time, discuss your prior practice.
14. With respect to the past five years (or the last five years in which you practiced law):
- a. Describe the frequency of your appearances in court, and estimate what percentages of your appearances were before: federal court; state or local court; administrative bodies; Other.
 - b. Estimate how your litigation was divided among: civil; criminal; and bankruptcy work.

- c. Estimate the number of cases in trial courts of record you tried to verdict or judgement as trial counsel, distinguishing between jury cases to verdict and jury cases started but which did not go to verdict, and also between criminal and civil cases.
 - 1. Give citations of any reported case.
 - d. Estimate the number of contested non-jury cases you commenced, distinguishing between civil and criminal cases.
 - 1. How many of those cases went to judgement after trial on the merits?
 - 2. How many non-contested cases involving court appearances have you handled?
 - e. Discuss the nature of your bankruptcy practice, if any.
 - 1. Furnish the number of cases handled by you within the past five years, and give a breakdown of these cases by percentage as to how many were: asset cases; no asset cases; business cases; consumer cases; cases under Chapters 7, 9, 11, 12, and 13.
 - 2. Indicate the number of adversary proceedings handled by you in the last five years.
 - 3. Describe any other matters referred to you not of a bankruptcy nature, such as SIPA, or Truth-in-Lending cases.
 - f. Describe any other experience you may have which is relevant to the position for which you are applying.
15. Appellate Practice:
- a. Estimate the number of cases you have personally handled as principal counsel on appeal. List the five most recent, and discuss how much of your appellate work you have orally argued.
 - b. Give citations of reported decisions or attach copies of the opinions.
16. Prior judicial experience:
- a. Have you ever held judicial office or been a candidate for judicial office? If so, please state the courts involved and the dates of service or dates of candidacy.

- b. Please describe any prior quasi-judicial service, including the agency, the issues involved, the number of cases adjudicated and the dates of service.
17. If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and discuss whether you intend to resign such position or withdraw from active management participation in the enterprise, should you be appointed to judicial office.
18. Furnish three examples of legal writing which reflect your personal work. (Articles, books, etc. and/or briefs if written largely or entirely by you.) Include writing samples in Wordperfect, Microsoft Word or PDF with the submission of this application.
19. State any achievements or accomplishments which you believe demonstrate your commitment to equal justice under the law.
20. State any other information which may reflect either positively or adversely on you which you believe should be disclosed in connection with your possible nomination as bankruptcy judge.
21. List five individuals as references who are familiar with your abilities and personal character. Include their names, addresses and telephone numbers.

PROFESSIONAL AND PERSONAL CONDUCT

22. Have you filed appropriate tax returns as required by federal, state, local and other governmental authorities? If not, please explain.
23. Have you ever been arrested, charged, held, or convicted for violation of federal, state, county, or municipal law, regulation or ordinance? (Do not include traffic violations for which a fine and court costs of \$200.00 or less was imposed, unless it also included a jail sentence.) If so, please discuss the details, including date, court and disposition.
24. Have you ever been charged in any civil or criminal proceeding with conduct alleged to involve moral turpitude, dishonesty, and/or unethical conduct? If so, please discuss details, including full style of the case, date, etc.
25. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? If so, please discuss details as fully as known.
26. Have you ever been sued by a client? For each instance, please detail the facts and circumstances, including court and case number, names and addresses of your counsel, and the disposition of the case.

27. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, please discuss.
28. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct, or been the subject of a complaint to any court, administrative agency, bar association, disciplinary committee, or other professional group? If so, please detail.
29. Has a tax lien or other collection procedure ever been instituted against you? If so, give particulars.
30. Do any clubs or private associations to which you belong have a discrimination clause or have a history of barring membership to women or minorities?

STATEMENT AND CERTIFICATION

As a potential nominee I personally submit this application freely and voluntarily, and thereby indicate my willingness to serve as a United States bankruptcy judge if selected. I declare under penalty of perjury that the information contained herein is accurate, true and complete to the best of my knowledge and belief.

Executed on:

Date

Name of Applicant acknowledging statement

WAIVER OF CONFIDENTIALITY

I hereby expressly waive any privilege of confidentiality I may have concerning information which the Judicial Council of the Third Circuit, the Third Circuit Court of Appeals or any member of its Search Committee may desire to obtain from any source concerning my qualifications to serve as a United States bankruptcy judge. I specifically authorize all institutions, organizations, schools, physicians, hospitals and individuals to make available to the Judicial Council of the Third Circuit, the Third Circuit Court of Appeals or any member of its Search Committee any information concerning me which they may request. Information may be sought from individuals other than those listed as references, including employers and co-workers. If this presents a problem, I will notify the Circuit Executive in writing in an addendum to this application so that special arrangements can be made.

Date

Name of Applicant waiving confidentiality

Note to Applicant: If you are selected for an interview, you will be asked to sign and mail the Statement and Certification and the Waiver of Confidentiality as a condition of the interview.